

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STICHTING JURIDISCH EIGENDOM DE
VESTE BELEGGINGSFONDSEN,

Plaintiff,

-against -

CAPSTONE CREDIT, LLC, CAPSTONE
CAPITAL GROUP, LLC and JOSEPH F.
INGRASSIA,

Defendants.

Case No. 21-cv-2102-DEH

**FINAL AGREED JUDGMENT AND
DISMISSAL**

CAPSTONE CREDIT, LLC, and CAPSTONE
CAPITAL GROUP, LLC,

Counterclaim-Plaintiffs,

- against -

STICHTING JURIDISCH EIGENDOM DE
VESTE BELEGGINGSFONDSEN, JACK VAN
OOSTERBOSCH, AND DE VESTE B.V.,

Counterclaim-Defendants.

WHEREAS, on December 30, 2022 (ECF No. 129), the Court issued an Opinion and Order (the “**Decision**”) granting Plaintiff’s motion for partial summary judgment on Count 1 (breach of contract) and Count 3 (foreclosure) of the Complaint filed in the above-captioned proceeding (the “**Action**”) and dismissing all counterclaims filed herein; and

WHEREAS, the Parties now wish to avoid any further litigation or further claims and have agreed to fully settle all claims;

NOW, THEREFORE, the Parties have presented this Final Agreed Judgment and

Dismissal with Prejudice of Remaining Claims for the Court's consideration as follows:

1. Defendants Capstone Credit, LLC and Capstone Capital Group, LLC, have agreed and consented to the entry of a judgment against them in favor of Stichting Juridisch Eigendom De Veste Beleggingsfondsen on Count One of the Complaint in furtherance of the settlement of this litigation and the Decision; and

2. All Parties have agreed and consented to the dismissal of any and all remaining claims and counterclaims not resolved by the Decision with prejudice and waived all rights to seek reconsideration of the Decision and/or any rights to appeal;

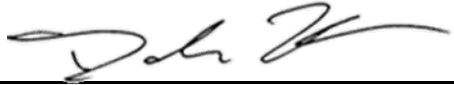
ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff Stichting Juridisch Eigendom De Veste Beleggingsfondsen be awarded the amount of \$58,352,804, including (a) \$39,569,183.4 in unpaid principal, (b) default interest at the note rate of 14.5% in the amount of \$18,168,850.10 from October 1, 2020 through November 30, 2023, and (c) attorneys' fees and costs in connection with this action in the amount of \$614,770.50 (the "Judgment") and that all writs and process for the enforcement and collection of this Judgment may issue as necessary;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any and all claims and counterclaims not resolved by the Decision are hereby dismissed with prejudice in their entirety and that this Action is hereby terminated.

Any pending motions are moot. All conferences are canceled. The Clerk of Court is respectfully requested to close the case.

SO ORDERED.

Dated: December 8, 2023
New York, New York



DALE E. HO
UNITED STATES DISTRICT JUDGE